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10-31-97

TOWNSEND and TOWNSEND and CREW LLP

By Irene Rodas

#15 1/2
Not Entered

PATENT

Attorney Docket No. 02307I-553

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL D. DOYLE et al.

Application No.: 08/324,443

Filed: 10/17/94

For: EMBEDDED PROGRAM OBJECTS IN
DISTRIBUTED HYPERMEDIA
SYSTEMS

Examiner: D. Dinh

Art Unit: 2317

COMMUNICATION

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REMARKS

In the Office Action mailed June 25, 1997, the claims pending in the present application were rejected over Koppolu reference (U.S. Patent No. 5,581,686 "the '686 patent").

The '686 patent was filed June 6, 1996 and is a continuation of parent Appln. No. 229,264, filed April 15, 1994, which is a C-I-P of grandparent Appln. No. 984,868 filed December 1, 1992.

The file history of the grandparent application has been examined and it has been determined that Figs. 32-56 and Secs. 6.0 to 6.4.4 of the '686 patent were added as new matter in the C-I-P parent application.

Attached hereto is a declaration and evidence proving that the claimed invention was conceived and reduced to practice prior to the filing date of the C-I-P parent application. Accordingly, Figs. 32-56 and Secs. 6.0 to 6.4.4 of the '686 patent are not prior art.

Further, this to confirm that one of the co-inventors, Michael Doyle, and his attorney, Charles Krueger, will appear at

0832443-101794

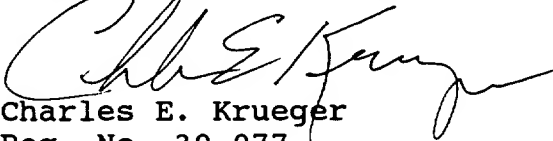
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PATENT

the examiner's office for an interview at 9:00 A.M. on Thursday,
November 6, 1997.

If the Examiner has any comments or questions, please
telephone the undersigned at (415) 576-0200.

Respectfully submitted,



Charles E. Krueger
Reg. No. 30,077

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200
Fax (415) 576-0300
CEK:db

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Atty Docket No. 023071-553

PTO FAX NO.: 1-703-308-5359

ATTENTION: Examiner D. Dinh
Group Art Unit 2317

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OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER D. DINH

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following Communication, including the Declaration of Michael D. Doyle and Attachments A and B, in re Application of Michael D. Doyle, Serial No. 08/324,443, filed October 17, 1994, for EMBEDDED PROGRAM OBJECTS IN DISTRIBUTED HYPERMEDIA SYSTEMS, is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Number of pages being transmitted, including this page: 26

Dated: October 31, 1997

Irene Rodas
Irene Rodas

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TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: (415) 576-0200
Fax: (415) 576-0300
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TOWNSEND and TOWNSEND and CREW LLP

by Aime Rodas

PATENT

Attorney Docket No. 023071-553



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL D. DOYLE et al.

Application No.: 08/324,443

Filed: 10/17/94

For: EMBEDDED PROGRAM OBJECTS IN
DISTRIBUTED HYPERMEDIA
SYSTEMS

Examiner: D. Dinh

Art Unit: 2317

DECLARATION OF MICHAEL D. DOYLE
UNDER RULE 131

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, MICHAEL D. DOYLE, hereby declare that:

1. I am a co-inventor of the subject matter disclosed and claimed in U.S. Patent Application No. 08/324,443.

2. The subject matter claimed in the above patent application was reduced to practice in this country prior to April 15, 1994, the filing date of the parent of the Koppolu reference cited by the examiner.

3. The reduction to practice of the claimed invention is evidenced by ATTACHMENTS A and B. ATTACHMENT A is a copy of a paper entitled "Integrated Control of Distributed Volume Visualization Through the World-Wide-Web", by Ang, Martin, and Doyle. This paper was submitted for publication prior to April 15, 1994. ATTACHMENT B is a transcript of the audio portion and still photographs of a video tape presented to an audience of scientists prior to April 14, 1994.

4. As stated in ATTACHMENT A, at page 5, paragraph 3.2, Mosaic (the browser) interprets the HTML <EMBED> tag included in a document to create a drawing area widget in a

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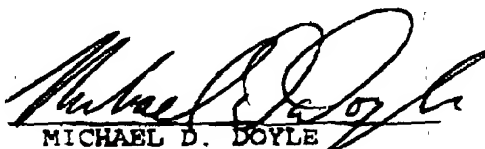
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document presentation and creates a shared window system buffer to receive visualization results. In addition, when the browser parses an <EMBED> tag in the document, the browser automatically launches the external application specifying the location of the visual object to render and identify the shared image buffer. The format and operation of an EMBED tag for 3D image data is described at paragraph 3.1.

5. As stated in ATTACHMENT B, starting at the bottom of page 2, interface and control software had been developed that allows the embedding of a visualization application within a Mosaic document. As is apparent from the photographs, the object is displayed and processed within the browser-controlled window. The visualization application is external to the hypermedia document displayed by the browser. Automatic launching of the external application when an HTML document is opened by the browser is depicted in the video.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: October 29, 1997.



MICHAEL D. DOYLE

CEX:db
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162701-ETHH2E30

SPEAKER CONSENT FOR AUDIO/VIDEO RECORDINGS

We would like to audio/video tape your presentation at **Medicine Meets Virtual Reality II: Interactive Technology and Healthcare**, January 27-30, 1994.

Audio and video tapes will be available for immediate distribution to attendees and will be marketed and sold after the conference. Your colleagues will be able to benefit from your remarks by listening to cassettes and viewing tapes whether or not they were in attendance. The tapes will be copyrighted and marketed under Title 17 of the U.S. Code or other law as may be enacted, and all rights to royalties, if any, in conjunction with cassette sales shall hereby be assigned to Medicine Meets Virtual Reality. This agreement does not preclude the publication by you of your paper, speech or comments at any time and in any format.

Please cooperate with the audio/visual taping staff to obtain the best possible recordings by using the microphone at all times and repeating the questions that are asked by persons not near a microphone.

Sign this form below and return it to us at your earliest convenience.

Thank You.

I hereby give permission to **Medicine Meets Virtual Reality** to record and distribute audio and video tapes containing my presentation as outlined above.

Signature

Michael D. Doyle

Date

11-30-93

Please print name

Michael D. Doyle

Thank you very much for your cooperation. Remember to pick up the complimentary audiotape of your presentation before leaving the meeting.

Please return this completed form to:
MEDICINE MEETS VIRTUAL REALITY
P.O. Box 23220, San Diego, CA 92193
For further information call 619/751-8841,
or Fax 619/751-8842.